

Health and Human Services
Appropriations Subcommittee
Honorable Ron Ehli, Chairman
Jason Priest, Vice-Chair
63rd Montana State Legislature
Capitol Building
Helena, MT

February 7, 2013

RE: House Bill 2; Child and Family Services Budgeting

Short Title: **General Appropriations Act**

Good Morning Mr. Chairman and Committee Members,

My name is Shane Morigeau. I am a member of the CSKT and I am here today on behalf of the Salish and Kootenai Tribes.

Currently, CSKT receives IV-E monies through the state of Montana per a State/Tribe agreement (this current (7) seven year state/tribal agreement has been in effect since 2010).

The basics of the funds are that the state gets money for all Montana citizens in foster care, that are IV E eligible (who are under the federal poverty line- no cap; feds are billed). The funds that are distributed are used for administrative costs such as personnel and operations.

The CSKT are requesting the State of Montana to commit to continuing the funding as follows:

- 1) State General Funds of \$105,066.00, for allowable administrative expenditures as stated above, to be continued with the Tribes going IVE Direct Funded;
- 2) As well, the continued match of 17% of the monthly foster care maintenance payment , the monthly kinship guardianship assistance payments, which is currently being paid, as set forth in the current approved Tribal/State Agreement. With the State of Montana continuing this current funding level the Confederated Salish Kootenai Tribes would be able to consider proceeding forward withdrawal for the implementation of IVE Direct Funding with the federal government, to serve our tribal member families and children who are also Montana Citizens.

The CSKT would request that the Direct IV-E funding go into effect as of the federal budget year FY 2014. The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), does allow Indian Tribes, Tribal organizations, and Tribal consortia to directly receive title IV-E funds to operate foster care, adoption

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assistance, and at Tribal option, kinship guardianship assistance program under title IV-E of the Social Security Act (SSA). This "new law" will allow CSKT Social Services Department to apply for Direct IV-E funding, which will give us greater flexibility and potential for increased funding.

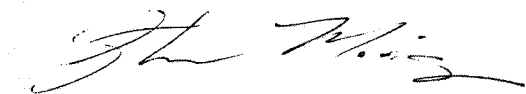
The CSKT did apply and receive funding to complete the IVE implementation grant, which completed Sept. 30, 2012, with the completion of that grant requirements. This week the CSKT were notified that our implementation plan had been approved and we should move forward with this process. The Tribes are now hoping that the State of Montana is willing to negotiate in "good faith" the continuation of the matching of general funds for our Tribal Social Services Department in regard to administration costs; personnel costs, operation costs and the matching of the foster care maintenance payments, kinship guardianship monthly payments and adoption subsidy payments at the current matching of 17%

In making this request we refer to the public law 110-351, where the federal government encourages States to Negotiate with the CSKT in "GOOD FAITH" on implementing Direct IV E funding.

The CSKT requests that this committee allocates the requested funding and include within the DPHHS budget:

1. Funding to reflect the state match of \$105,066.00, of GENERAL FUNDS per budget year, for allowable administrative expenditures to the CSKT Social Services,*) who would be IVE Direct Funded;
2. The current match of 17% for: a. Foster Care Maintenance payments at the 17% match be continued; b. that the Kinship Guardianship monthly maintenance payments; be continued at the 17% match and the adoption subsidy.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shane Morigeau", written in dark ink.

Shane Morigeau